

REMARKS

Claims 61-68 are pending in the above-identified application. Claims 61, 63, 65 and 67 have been allowed. By this amendment, Applicant has amended claims 61-68 and also has amended the abstract.

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

ALLOWED CLAIMS:

Applicant wishes to take this opportunity to thank the Examiner for the allowance of claims 61, 63, 65, and 67. However, as previously indicated, Applicant herein has amended those claims. In particular, claims 61, 63, 65, and 67 have been amended to recite “wherein the warning allows the user to determine whether to store the captured image in the recording medium.” (emphasis added). Additionally, in claims 65 and 67, the term “includes” has been changed to “including”.

Applicant believes that the foregoing amendments are very minor and do not affect the allowability of claims 61, 63, 65 and 67. Thus, Applicant respectfully requests that the amendments be entered and that the allowability of the claims be maintained. Should the Examiner wish to contact the undersigned regarding these amendments to the claims, he is invited to do so at the number provided below.

AMENDMENTS TO THE SPECIFICATION:

Applicant has amended the abstract to bring it more in line with the subject matter of amended claim 63. Entry is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 112, ¶1:

Claims 62, 64, 66, and 68 were rejected under 35 U.S.C. § 112, ¶1 as allegedly failing to comply with the enablement requirement. [01/03/07 Office Action, p. 2].

In that regard, the Office Action asserts that there was “no step that correspond[ed] to having the *control unit* determine whether to start the recording process...because, as shown in Figure 4, the recording process is always performed. In other words, the specification provides for a decision to be made (by the user) as to whether *storage* occurs but does not provide for any decision to be made as to whether the *recording process* occurs.” [Id., emphasis in original].

As indicated in the Office Action, “the specification provides for a decision to be made (by the user) as to whether storage occurs....” [Id.] Thus, claim 62 has been amended to provide that the “captured image is not stored in the recording medium if the *user* chooses not to store the captured image in the recording medium when the warning is issued.” (emphasis added). Support for this amendment may be found, e.g., in Fig. 7 of the above-identified application. Applicant respectfully asserts that claim 62, as amended, is enabled, and thus, requests that the rejection of claim 62 under 35 U.S.C. § 112, ¶1 be withdrawn.

Amended claims 64, 66, and 68 contain features similar to those found in amended claim 62, and thus, are allowable for at least the same reason set forth above in urging the allowance of claim 62.

Accordingly, Applicant respectfully submits that claims 62, 64, 66, and 68 are in condition for allowance.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-4605.

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By:

Respectfully submitted,
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